

REMARKS

Applicants amend claim 1. No new matter is added. Support for the amendment can be found at Page 11, lines 13-19. Upon entry of this amendment, claims 1-9 are pending, of which claim 1 is independent. Applicants respectfully submit that the pending claims define over the art of record.

Objection to the Drawings

The Examiner objects to the drawings as failing to comply with 37 CFR 1.84(p)(5) because they include the reference sign(s) that are not in English. The Examiner requests a certified translation of the drawings be submitted. Applicants respectfully submit that a certified translation of the drawings was submitted on June 24, 2004 with the certified translation of the specification. Applicants note that the certified translation of the drawings is available on Private PAIR with the label "Drawings" dated June 24, 2004. Applicants submit herewith a courtesy copy of the certified translation of the drawings for the Examiner's convenience.

Claim Rejection Under 35 U.S.C. §112

Claims 1-9 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite. The Examiner appears to say that claim 1 is indefinite because the limiting member limits the rotation of both the valve body and the rotational shaft. Applicants respectfully submit that claim 1 recites that the valve body is connected to the rotational shaft. Hence, when the rotational position of the rotational shaft is limited, the rotational position of the valve body that is connected to the rotational shaft is also limited. As such, Applicants respectfully submit that claim 1 is definite. Applicants respectfully request that the Examiner reconsider and withdraw the rejection under 35 U.S.C. §112.

Claim Rejection Under 35 U.S.C. §102

Claims 1-3 and 8-9 are rejected under 35 U.S.C. §102(b) as being anticipated by JP 11-062631 to Sano (hereafter “Sano”). Applicants respectfully submit that the Sano reference does not disclose an opening sensor for detecting a magnetic field from a magnet embedded in the rotational shaft thereby to detect an angular position of the rotational shaft, as recited in amended claim 1.

The Sano reference discloses a step motor driving throttle control device that can prevent the drift of opening without lowering responsiveness. The Sano reference discloses a lever 6 that is fixed to one end of the throttle shaft 2. The lever 6 makes a limit switch 7 turn on by the predetermined rotation angular position near the bulb open position. However, the Sano reference does not disclose an opening sensor for detecting a magnetic field from a magnet embedded in the rotational shaft thereby to detect an angular position of the rotational shaft, as recited in amended claim 1.

Accordingly, Applicants respectfully submit that the Sano reference does not disclose each and every element and limitation of amended claim 1. Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claim 1.

Applicants note that the dependent claims also recite patentable subject matter. As such, for this and the reasons set forth above, the dependent claims also define over the art of record.

Claim Rejection Under 35 U.S.C. §103

Claims 4-7 are rejected under 35 U.S.C. §103(a) as being unpatentable over the Sano reference in view of CA 2,261,243 to Dell et al. (hereafter “Dell”). Applicants respectfully submit that the combination of the Sano reference and the Dell reference fail to teach or suggest an opening sensor for detecting a magnetic field from a magnet embedded in the rotational shaft thereby to detect an angular position of the rotational shaft, as recited in amended claim 1, which claims 4-7 depend.

As set forth above, the Sano reference does not teach or suggest an opening sensor for detecting a magnetic field from a magnet embedded in the rotational shaft thereby to detect an angular position of the rotational shaft, as required by claims 4-7.

The Dell reference teaches a fuel filter with internal pressure regulator. The Examiner cited the Dell reference to show that a pressure regulator can be made of stainless steel and that the regulator has sealing members that radially form a seal with the pressure regulator so as to seal the regulator. However, the Dell reference also fails to teach or suggest an opening sensor for detecting a magnetic field from a magnet embedded in the rotational shaft thereby to detect an angular position of the rotational shaft, as required by claims 4-7.

As such, the combination of the Sano reference and the Dell reference fail to teach or suggest an opening sensor for detecting a magnetic field from a magnet embedded in the rotational shaft thereby to detect an angular position of the rotational shaft, as required by claims 4-7. Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claim 4-7.

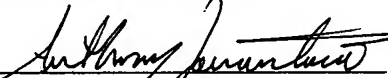
CONCLUSION

In view of the above amendment, Applicants believe the pending application is in condition for allowance.

Applicants believe no fee is due with this statement. However, if a fee is due, please charge our Deposit Account No. 12-0080, under Order No. TOW-055 from which the undersigned is authorized to draw.

Dated: April 13, 2007

Respectfully submitted,

By 

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Attachments